

REMARKS

1. Status of Claims

Claims 1-31 were pending in the Application with claims 1-18 withdrawn from consideration by the Examiner. Applicants have amended claims 19, 23, 25-26, 28-29 and 31 and canceled claims 1-18 without prejudice or disclaimer. Applicants have added new claims 32-44. Applicants respectfully request entry of the above amendments and consideration of the enclosed remarks. Applicants submit that no new matter is added. Accordingly, claims 19-44 will remain pending in the application.

2. Rejections Under 35 U.S.C. § 112

In section 4 of the Office Action, the Examiner rejected claims 26 and 28-29 under 35 U.S.C. 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 26, Applicants respectfully traverse the rejection since the claim is sufficiently clear. However, solely to expedite prosecution, Applicants have amended claim 26 and respectfully submit that the claim complies with 35 USC 112.

With respect to claims 28-29, Applicants respectfully traverse the rejection since the claim terms are sufficiently defined. However, solely to expedite prosecution, Applicants have amended claims 28-29 and respectfully submit that the claim complies with 35 USC 112.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

3. Rejections Under 35 U.S.C. § 103

In section 8 of the Office Action, the Examiner rejected Claims 19-22, 24 and 26-31 under 35 U.S.C. 103(a) as allegedly rendered obvious by United States Patent No. US 6,978,255 B1 to Pauschinger, et al. ("Pauschinger '255") in view of United States Patent No. US 6,041,704 to Pauschinger ("Pauschinger '704") in further view of U.S. Patent Application Publication No. 2002/0199094 A1 by Strand ("Strand '094").

Applicants respectfully traverse the rejection. Solely in order to expedite prosecution, Applicants have amended claims 19 and 31 without prejudice or disclaimer to recite authentication of the print member and the rejection is moot.

Furthermore, one of skill in the art would not look to Strand to modify Paushinger as they are not analogous art. Paushinger does not teach or suggest two communication modes and thus one of skill in the art would not look to Strand to suggest securing communication to the cartridge.

Dependent claims 20-22, 24 and 26-30 are also patentable over the cited references for at least the reasons described above with reference to the associated independent claim and any intervening claims.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 19-22, 24 and 26-31.

In section 19 of the Office Action, the Examiner rejected Claim 23 under 35 U.S.C. 103(a) as allegedly rendered obvious by United States Patent No. US 6,978,255 B1 to Pauschinger, et al. ("Pauschinger '255") in view of United States Patent No. US 6,041,704 to Pauschinger ("Pauschinger '704") in further view of U.S. Patent Application Publication No. 2002/0199094 A1 by Strand ("Strand '094") and U.S. Patent Application Publication No. 2003/0006878 A1 by Chung ("Chung '878").

Applicants respectfully traverse the rejection. Solely in order to expedite prosecution, Applicants have amended claims 19 and 23 without prejudice or disclaimer to recite authentication of the print member and the rejection is moot.

Applicants respectfully submit that the cited references do not teach or suggest the tag attached to the exterior of the cartridge.

Dependent claim 23 is also patentable over the cited references for at least the reasons described above with reference to the associated independent claim and any intervening claims.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claim 23.

In section 21 of the Office Action, the Examiner rejected Claim 25 under 35 U.S.C. 103(a) as allegedly rendered obvious by United States Patent No. US 6,978,255 B1 to Pauschinger, et al. ("Pauschinger '255") in view of United States Patent No. US 6,041,704 to Pauschinger ("Pauschinger '704") in further view of U.S. Patent Application Publication No. 2002/0199094 A1 by Strand ("Strand '094") and U.S. Patent No. 6,527,170 B1 to Gordon, et al. ("Gordon '170").

Applicants respectfully traverse the rejection. Solely in order to expedite prosecution, Applicants have amended claims 19 and 25 without prejudice or disclaimer to recite authentication of the print member and the rejection is moot.

Applicants respectfully submit that the cited references do not teach or suggest the tag attached to the exterior of the cartridge.

Dependent claim 25 is also patentable over the cited references for at least the reasons described above with reference to the associated independent claim and any intervening claims.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claim 25.

Applicants respectfully submit that new dependent claims 32-44 are patentable over the cited references for at least the same reasons described with reference to the associated independent claim and any intervening claims.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejections and submit that the invention as presently claimed in claims 19-44 is patentable and in condition for allowance.

4. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

5. Authorization

No fee is believed due with this Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. S-215.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. S-215.

Respectfully submitted,

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